

GOVERNMENT OF TELANGANA
ABSTRACT

Gram Panchayats - Mahabubnagar District - De-notification of Gram Panchayat of Badepally Gram Panchayat - Notification - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (PTS.II) DEPARTMENT

G.O.Ms.No.20

Dated.04-02-2015.

Read the following:-

1. G.O.Ms.No.420, PR&RD (Pts.IV) Dept., dt.28.12..2011.
2. Hon'ble High Court Order dt. 26/03/2014 in W.P.No.30162/2014
3. G.O.Ms.No.101, PR&RD (Pts.IV) Dept., dt.29.05..2014
4. From the Dy.CPR&RE, Hyd.LrNo.684/D1/2014, Dt.28.07.2014.
5. Govt.Memo.No.5381/Pts.IV/A1/2014-1 dt.24.09.2014.
6. From the District Collector, Mahabubnagar District.Lr.Rc.No.A1/844/2014, dt.10.10.2014.

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ORDER:

In the reference 1st read above, orders were issued de-notifying (2) Gram Panchayats Viz., Badepally and Kaverammamet (Jadcherla) of Mahabubnagar District so as to merging into Jadcherla Municipality.

2. Aggrieved by the above orders, some of the villagers of respective Gram Panchayts have filed Writ Petition No.30162/2013 in the Hon'ble High Court praying to suspend the orders. The Hon'ble High Court in its order dt.26/03/2014 passed the following :

"As the very Rule, notified in G.O.Ms.No.567, dt.11/09/2009, has been struck down as ultra vires Section 326 of the Act, and as the constitution of the Nagar Panchayats/Municipalities in the present Writ Petitions is in terms of the Rules amended and notified in G.O.Ms.No.567 dt.11/09/2009, the impugned Government Orders, whereby the subject Gram Panchayats were constituted as Nagar Panchayats/Municipalities in terms of the said Rules, must also be, and are accordingly, set aside. In terms of the aforesaid judgement of the Division Bench, the Government shall take steps to denotify the areas as not being municipal areas and restore them as rural areas.

It is made clear that all the other contentions raised on behalf of the petitioners is left open to be adjudicated, if need be, in appropriate legal proceedings. It is also made clear that this order shall not preclude the respondents from taking action afresh in accordance with law.

The Writ Petitions stand disposed off accordingly."

3. In the reference 4th read above the Deputy Commissioner, Panchayat Raj and Rural Employment, Hyderabad while sending the proposal of the District Collector, Mahabubnagar, has stated that the Special Officer, Gram Panchayat, Badepally has submitted a proposal under G.O.Ms.No.16, M.A&U.D Department, dt.16.01.2013 for upgradation of the Gram Panchayat Badepally to that of Nagar Panchayat and it is 18 kms from the District Headquarters. The said Gram Panchayat has also passed a resolutions on 28.07.2011 and 11.07.2014 to this effect.

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4. Government, after careful examination of the proposal, a show-cause notice has been issued to the Gram Panchayat Badepally of Mahabubnagar District directing to show-cause as to why the Gram Panchayat concerned should not be upgraded as Nagar Panchayat in the reference 5th read above.
5. In the letter 6th read above, the District Collector, Mahabubnagar has stated the a show-cause-notice has been served to the Badepally Gram Panchayat and no objections are received from the villagers of the Gram Panchayat.
6. Government, after careful examination of the proposal, keeping in view of the report of the District Collector, Mahabubnagar have decided to cancel the Notification issued, declaring the Badepally as Gram Panchayat in Mahabubnagar District so as to upgrade as Nagar Panchayat.
7. The Commissioner of Printing, Stationery, Stores and purchase, Hyderabad is requested to furnish (25) copies of the same to the Department.
8. Accordingly, the following Notification will be published in an Extraordinary Issue of the Telangana Gazette, dated 06-02-2015.

NOTIFICATION

In exercise of the powers conferred by clause (f) of sub-section (2) of Section 3 of the Andhra Pradesh Panchayat Raj Act, 1994 (Act No.13 of 1994) herein after called as (Telangana Adoption order, 2014) read with clause (i) of sub-rule (1) of rule 12 of the Andhra Pradesh Gram Panchayats (Declaration of Villages) Rules, 2007 issued in the G.O.Ms.No. 542, Panchayat Raj and Rural Development (Pts.IV) Department dated 03.12.2007 and in suppression of the Notification issued in G.O.Ms.No.101, P.R&R.D (Pts.IV) Department, dated 29.05.2014, the Government of Telangana hereby cancel the Notification declaring the Badepally Gram Panchayat in Mahabubnagar District so as to upgrade as Nagar Panchayat.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

J.RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Printing, Stationery & Stores Purchase, Hyderabad.
The Commissioner, Panchayat Raj & Rural Employment, Hyderabad.
The District Collector, Mahabubnagar

Copy to

The District Panchayat Officer, Mahabubnagar District
The P.S to M(PR&IT)
The P.R & R.D(Mdls.) Department
The M.A&U.D (C1) Department.
The Law (C) Department.
SF/SCs.

//FORWARDED: BY ORDER//

SECTION OFFICER